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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/846,861	05/01/2001	Yoshihiro Konaka	P/1071-1322	4990

7590 05/07/2003
Keating & Bennett LLP
10400 Eaton Place
Suite 312
Fairfax, VA 22030

EXAMINER

KWOK, HELEN C

ART UNIT	PAPER NUMBER
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2856

DATE MAILED: 05/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/846,861

Applicant(s)

Konaka et al.

Examiner

H. Kwok

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Feb 5, 2003
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

2. Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,044,707 (Kato).

With regards to claims 1-4, Kato discloses an angular rate sensor comprising, as illustrated in Figure 1, a vibrating body 3; a driving unit 15 for causing the vibrating body to vibrate in a predetermined vibrating direction; and a driving monitoring unit 17 (electrodes 33a,33b) provided in a barycentric region of the vibrating body for detecting vibration displacement in a driving direction of the vibrating body. (See, column 12, line 10 to column 15, line 19). Furthermore, Kato discloses the vibrating body vibrating in a Coriolis force direction that is perpendicular to the driving direction which is detected by signal processing circuit 18 and

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suggesting the arrangement of the vibrating body having a double-frame construction as presently claimed.

3. Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,122,962 (Yoshino et al.).

With regards to claims 1-4, Yoshino et al. discloses an angular rate sensor comprising, as illustrated in Figures 3, 7 and 14, a vibrating body 28; a driving unit 3 for causing the vibrating body to vibrate in a predetermined vibrating direction; and a driving monitoring unit 35 or 35' provided in a barycentric region of the vibrating body for detecting vibration displacement in a driving direction of the vibrating body. (See, column 9, line 45 to column 18, line 45). Furthermore, Yoshino et al. discloses the vibrating body vibrating in a Coriolis force direction that is perpendicular to the driving direction is detected by angular velocity detector 34 or 34' and which is detected by signal processing circuit and suggesting the arrangement of the vibrating body having a double-frame construction as presently claimed.


Response to Amendment

4. Applicant's arguments with respect to claims 1-4 have been considered but are moot in view of the new ground(s) of rejection.

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Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Helen Kwok whose telephone number is (703) 308-8149.


Helen C. Kwok
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hck
April 21, 2003